

EMN/ZA/SDD:AAS/DMP
F.#2014R01413

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

15-172 M

- X

UNITED STATES OF AMERICA

- against -

ABDURASUL HASANOVICH JURABOEV,
also known as "Abdulloh Ibn Hasan,"
AKHROR SAIDAKHMETOV, and
ABROR HABIBOV,

Defendants.

TO BE FILED UNDER
SEAL

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF
ARREST WARRANT

(18 U.S.C. § 2339B(a)(1))

- X

EASTERN DISTRICT OF NEW YORK, SS:

RYAN SINGER, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about and between August 8, 2014 and the present, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ABDURASUL HASANOVICH JURABOEV, also known as "Abdulloh Ibn Hasan," AKHROR SAIDAKHMETOV, and ABROR HABIBOV did knowingly and willfully attempt and conspire to provide material support and resources, as defined in 18 U.S.C. § 2339A(b), including services and JURABOEV and SAIDAKHMETOV as personnel, to a foreign terrorist organization, to wit: al-Qa'ida in Iraq.

(Title 18, United States Code, Section 2339B(a)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation and have been assigned to the New York Joint Terrorism Task Force for approximately 18 months. As a Special Agent, I have investigated numerous matters during the course of which I have conducted physical surveillance, interviewed witnesses, executed court-authorized search warrants and used other investigative techniques to secure relevant information. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; and from reports of other law enforcement officers involved in the investigation.

2. The defendant ABDURASUL HASANOVICH JURABOEV, also known as "Abdulloh Ibn Hasan," is a 24-year old lawful permanent resident of the United States and citizen of Uzbekistan, who currently resides in Brooklyn, New York. The defendant AKHROR SAIDAKHMETOV is a 19-year old lawful permanent resident of the United States and citizen of Kazakhstan, who also resides in Brooklyn, New York. The defendant ABROR HABIBOV is a 30-year old citizen of Uzbekistan, who resides in Brooklyn, New York. HABIBOV operates kiosks that sell kitchenware and repair mobile phones in retail malls in, among other locations, Jacksonville, Florida; Savannah, Georgia; Philadelphia, Pennsylvania; and Chesapeake and Virginia Beach, Virginia. During the fall and winter of 2014, HABIBOV employed SAIDAKHMETOV at kiosks in Savannah, Georgia; Philadelphia, Pennsylvania; and Chesapeake, Virginia.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

A. ISIL

3. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq, then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224. On May 15, 2014, the Secretary of State amended the designation of al-Qa'ida in Iraq as a FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham ("ISIS"), the Islamic State of Iraq and Syria ("ISIS"), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself "Al-Qaeda in Iraq," this name has frequently been used to describe it through its history.

4. Since 2013, ISIL has claimed credit for numerous terrorist activities, including seizing Mosul, a city in northern Iraq, and rocket attacks on eastern Lebanon in March 2014. These terrorist activities are part of ISIL's broader goal of forming an Islamic state or "caliphate" in Iraq and Syria.

B. JURABOEV and SAIDAKHMETOV Express Support for ISIL

5. Hilofatnews.com ("Hilofatnews") was, until approximately August 15, 2014, an Uzbek-language website that propagated ISIL's ideology and called for its Uzbek-speaking audience to join ISIL. The website contained videos, pictures and articles

of ISIL military operations in Iraq and Syria, as well as Koran recitations, video sermons about the “global caliphate,” and calls to join jihad within the ranks of ISIL.

6. A review of open source social media materials revealed the following posting in the Uzbek language to Hilofatnews on or about August 8, 2014 by an individual identified as “Abdulloh ibn Hasan”²:

Greetings! We too wanted to pledge our allegiance and commit ourselves while not present there. I am in USA now but we don’t have any arms. But is it possible to commit ourselves as dedicated martyrs anyway while here? What I’m saying is, to shoot Obama and then get shot ourselves, will it do? That will strike fear in the hearts of infidels.

My interpretation of the quoted message is that the author was inquiring as to whether he could swear an oath of allegiance to ISIL in absentia, meaning from the United States. The author further inquired as to whether, since he was located in the United States, it would be possible for him to engage in an act of martyrdom on U.S. soil, such as killing President Obama, because such an act would strike fear in the hearts of the “infidels,” meaning Americans.

7. Pursuant to a voluntary disclosure of records associated with “Hilofatnews.com,” information revealed that the posting described above was associated with an Internet Protocol (“IP”) address that resolved to a residence in Brooklyn.

8. On or about August 15, 2014, federal agents visited the Brooklyn address associated with the above-referenced IP address. During this visit, agents met with one of the residents of that address, the defendant ABDURASUL HASANOVICH JURABOEV, who stated that he is known by “Abdulloh Ibn Hasan.” Before making

² All conversations referenced in this Complaint were in Uzbek. Translations from Uzbek to English contained herein are in draft form only.

statements, the defendant granted agents consent to inspect his iPhone, which he unlocked. A cursory review of the iPhone revealed that "Hilofatnews.com" was a frequently visited web address.

9. During the interview, JURABOEV made the following statements in sum and substance and in part. First, JURABOEV acknowledged that he wrote and posted the above-referenced message on Hilofatnews, which he characterized as the Uzbek-language site of ISIL. JURABOEV also stated his belief in ISIL's terrorist agenda, including the establishment by force of an Islamic caliphate in Iraq and Syria. JURABOEV further stated that he would like to travel to Syria to engage in violence on behalf of ISIL "if Allah wills," but currently lacked the means to travel there. In addition, JURABOEV stated that he would harm President Barack Obama if he had the opportunity to do so, but currently does not have the means or an imminent plan to do so.

10. On or about August 18, 2014, law enforcement agents met again with the defendant ABDURASUL HASANOVICH JURABOEV at his residence in Brooklyn. During the interview, JURABOEV made the following statements in sum and substance and in part. While admitting that he does not like President Obama because of his role in killing Muslims through his support of Israel and the recent bombing of ISIL, JURABOEV stated that he would not kill President Obama because of ill will towards him, but rather because of "Allah." When asked to clarify the nature of his contact with "Hilofatnews.com," JURABOEV stated that he wanted to communicate his approval of the actions of ISIL and establish contact with the group. He added that, if ISIL ordered him to kill President Obama, he would do so. He further stated that any order to kill the President could come from anyone within ISIL—not necessarily only from ISIL leader Abu Bakr al-Baghdadi—provided

that the order had a basis in the Koran and the “Sunna” (the traditions of the Prophet Muhammad). JURABOEV noted that if he received an affirmative or positive response from ISIL to the above-referenced posting on Hilofatnews, he would kill President Obama. JURABOEV added that he would also plant a bomb on Coney Island if he were so ordered by ISIL.

11. During the interview, JURABOEV made a written statement in the Uzbek language. In pertinent part, the statement reads:

Islamic right is fighting under caliphate against polytheists and infidels.

....
I also want to fight and sincerely become a martyr under the Islamic Caliphate against the polytheists and infidels.

....
If I get a command from the Islamic Caliphate that is according to Quran and Sunnah if I gave pledge to Islamic State and I have the means to carry out the given command and if I can make my intention only for Allah or not because I don't like it only if it's for Allah I will carry out!
Even if that person is Obama!
What Allah desires will happen.

ISIL has issued public declarations stating that it wishes to be referred to as the “Islamic State.” Based upon my training and experience, I believe that, in this statement, JURABOEV reiterated his allegiance to ISIL (“I also want to fight and sincerely become a martyr under the Islamic Caliphate against the polytheists and infidels;” “I gave pledge to Islamic State”) and his intention of killing President Obama (“Even if that person is Obama.”) if commanded to do so by ISIL (“If I get a command from the Islamic Caliphate”).

12. During the interview, JURABOEV identified the defendant AKHROR SAIDAKHMETOV as a friend and coworker who shared JURABOEV’s views on ISIL and who had discussed with JURABOEV his wish to wage jihad by fighting in Syria or by engaging in violence in the United States.

13. Further investigation revealed that, on or about August 4, 2014, the defendant AKHROR SAIDAKHMETOV made a post on Hilofatnews in which he referenced a video titled "Upon the Prophetic Methodology," which contains footage of multiple individuals pledging allegiance to ISIL and shows mass executions by ISIL of Iraqi forces captured during ISIL's takeover of Mosul, Iraq. SAIDAKHMETOV posted, "Allohu Akbar I was very happy after reading this, my eyes joyful so much victory."

C. JURABOEV and SAIDAKHMETOV Gather Information About Joining ISIL

14. The investigation has revealed that the defendants ABDURASUL HASANOVICH JURABOEV and AKHROR SAIDAKHMETOV expressed their interest in traveling to ISIL-controlled territories in order to wage violent jihad.

15. For instance, interceptions of the electronic communications of JURABOEV revealed repeated contact with purported ISIL representatives to discuss JURABOEV's travel to ISIL-controlled territories. On August 26, 2014, JURABOEV engaged in a communication with "Abu Bakr Bagdodi Halifat Dovlati Islamiya" ("Bagdodi"), who, according to open source records, is the Iraq-based "Administrator" of the website "Islamic State News," which disseminates ISIL news and propaganda. Abu Bakr al-Baghdadi is the name of the leader of ISIL, and "Halifat Dovlati Islamiya" means Islamic Caliphate State in Uzbek. JURABOEV's intercepted communication with Bagdodi on August 26, 2014, was as follows:

Bagdodi: Even the Caliph himself is doing Jihad. How come you are not coming here? Or is it not Jihad for you? Or the oppression of Muslims by infidels is not enough for you? Or you want to wait till they enter your house?

Bagdodi: When was this Hadith told? It falls in the times when it was considered Fard Kifaya. Nowadays this Hadith means Fard

Ayn. God willing, it is Fard Ayn for every Muslim. Do you think this Hadith is sufficient for you?

JURABOEV:

Can you provide me Fatwa to my circumstances? First, I am in the land of infidels. If right now I decide to go to the airport and go anywhere, except for Uzbekistan, they may arrest me. It's because of what I told them about Obama. "If I contact with someone from the Caliphate, pledge oath, and then if they order me to kill Obama if the order is based on the Quran and Sunnah, if I have what I need, i.e. guns, then for Allah and my intentions, and because he is an enemy of Allah, I will execute Obama", I said. Even after these words, they left me alone. Why? Because they think I am establishing a Jihadi group, or I belong to such group, Allah knows the best. My parents in Uzbekistan, sometimes they worship and practice Islam, sometimes they do idolatry. My sisters are uncovered, lack knowledge of a religion. I wish they knew at least how to cover themselves up. What should I do? I need to sneak out of here with extreme caution without being noticed by them.

Based on my training, experience, and consultation with other law enforcement officers who investigate terrorism crimes relating to Islamic extremism, I interpret this communication as Bagdodi encouraging JURABOEV to travel to territories controlled by ISIL ("how come you are not coming here?") to wage jihad. JURABOEV responded with a request for a fatwa, or a religious edict, from Bagdodi given JURABOEV's concern that he would be arrested if he tried to travel outside of the United States based on his threat against President Obama. JURABOEV then stated that he is trying to leave the United States ("sneak out of here") without being noticed by the FBI ("with extreme caution without being noticed by them"). In addition, in this communication, JURABOEV acknowledged his interviews with the FBI and his admissions during those interviews of his willingness to kill President Obama if so ordered by ISIL.

16. Additional electronic interceptions revealed that the defendants ABDURASUL HASANOVICH JURABOEV and AKHROR SAIDAKHMETOV made efforts to coordinate travel to join ISIL in ISIL-controlled territories.

17. For instance, on September 14, 2014, JURABOEV and SAIDAKHMETOV had the following exchange:

JURABOEV: I am talking to our evening brothers.

SAIDAKHMETOV: What's new? Any information?

JURABOEV: He says that the only way to go there is via Turkey, via Istanbul. Supposedly, none of them can help. In other words, since they don't know us, they won't help us.

SAIDAKHMETOV: But a brother I talked to told me that if I get to Tuela, he would send the brothers to pick me up, he told me that. In which part of Turkey is that Tuela located?

SAIDAKHMETOV: Would you please ask?

JURABOEV: hilofatnews.com. Presently a situation is such that you cannot just pack and go. Someone has to meet you at dusk. Otherwise they will not let you in if they don't know you.

JURABOEV: That's why it's better you communicate first. That's what our brother said.

SAIDAKHMETOV: Then it's better to discuss with a brother on my site, because he told me he would meet.

SAIDAKHMETOV: Please get on my site and check if that guy responded.

JURABOEV: That's what we need to find out. . . .

JURABOEV: hilofatnews.com. First of all, a Turkish border is heavily guarded right now, especially at Dawla side. If one doesn't know a route, he may get caught. Secondly, once you cross the border of the Islamic state, someone has to receive you there. There is a border there as well. The people who receive you . . . They will say, "this man belongs to us", and they will take you in.

Based on the information that JURABOEV relayed during this communication, the phrase “evening brothers” appears to refer to individuals connected with ISIL who are familiar with the logistics of how to join ISIL. My interpretation of this communication is that JURABOEV and SAIDAKHMETOV discussed the possibility of traveling to Turkey in order to cross the Turkish-Syria border to enter ISIL-controlled territory.

18. In or about late September 2014, a confidential informant (the “CI”) approached JURABOEV at a mosque, while posing as an ideologically sympathetic individual, and met SAIDAKHMETOV later the same day.³ During the course of their relationship, JURABOEV and SAIDAKHMETOV introduced the notion that the CI should also travel to Syria to join ISIL. The conversations described below among and/or between the CI and JURABOEV and SAIDAKHMETOV were recorded.

19. During a recorded conversation on or about September 24, 2014, JURABOEV, SAIDAKHMETOV and the CI discussed JURABOEV’s and SAIDAKHMETOV’s desire to travel to Syria to join ISIL. In that conversation, JURABOEV explained that the only way to travel to Syria was via Turkey.

20. During a subsequent discussion between SAIDAKHMETOV and the CI on or about September 24, 2014, SAIDAKHMETOV told the CI that he had wanted to travel to Syria to wage jihad, but that his mother had feared that he would do so and took his passport so that he could not travel. SAIDAKHMETOV said he would try to get his

³ The CI is a paid informant. For the purpose of this affidavit, the government is not relying on any independent information provided by the CI, and is not making any representation as to the credibility of the CI. Rather, the government is relying solely on the recorded conversations themselves for the purpose of establishing probable cause to arrest the defendants.

passport back by telling his mother that he was traveling to Uzbekistan to visit relatives, but would actually travel to Turkey to join ISIL:

SAIDAKHMETOV: Actually, I can say, "I am going to Uzbekistan to visit the relatives." Then get off in Russia, then from Russia to Turkey. From Turkey we can go there.

CI: From Russia to Turkey? . . . It's possible.

SAIDAKHMETOV: Uh-hmm.

CI: You will have to buy a ticket [to] Uzbekistan to show . . .

SAIDAKHMETOV: In Russia we will have to—

CI: Change planes?

SAIDAKHMETOV: -yes, uh-hmm.

CI: Right. One can go to Uzbekistan via Turkey as well. In Istanbul . . . if you get a ticket on Uzbek Airways . . . from Istanbul to Tashkent . . .

SAIDAKHMETOV: Yes, I guess.

CI: Why to go via Russia . . . buy a ticket?!

SAIDAKHMETOV: True, true. One can go from Russia to Turkey, right?

CI: Why don't you get on a plane that goes directly to Turkey?

SAIDAKHMETOV: Right, but America is catching, they are very strict now.

CI: Do you think those won't catch, in Russia, or going to Russia?

SAIDAKHMETOV: True, but it is better to fool them by flying here and flying there.

My interpretation of this communication is that SAIDAKHMETOV expressed his desire to travel to Syria ("From Turkey we can go there") by traveling through Russia and Turkey in order to avoid detection by U.S. law enforcement ("America is catching, they are very strict now" and "it is better to fool them by flying here and flying there").

21. Later in the same conversation, SAIDAKHMETOV and the CI watched videos of ISIL training camps in Syria. SAIDAKHMETOV stated that he was going to “go there,” referring to Syria, to “become a Mujahid on the path of Allah.”

22. The investigation revealed that, during the fall of 2014, the defendants ABDURASUL HASANOVICH JURABOEV and AKHROR SAIDAKHMETOV continued to gather information about traveling to Syria by way of Turkey. In an intercepted communication on or about October 3, 2014, JURABOEV asked Bagdodi, “Brother, is it difficult to pass from Turkey to Syria?” Bagdodi responded, “Today brothers told me that it got a bit difficult to cross.” Based upon my training and experience, I am aware that many travelers seeking to join ISIL in Syria do so by crossing the border between Turkey and Syria by foot.

23. On or about November 14, 2014, in a recorded conversation with JURABOEV, SAIDAKHMETOV expressed interest in joining the United States military so that he could pass information about the military to ISIL to help in their attacks. When JURABOEV expressed skepticism that SAIDAKHMETOV could stay calm and avoid trouble in the military, SAIDAKHMETOV responded that he could always open fire on American soldiers and kill as many of them as possible. In a conversation the next day, JURABOEV again criticized SAIDAKHMETOV’s plan to join the military and stated that leaving for Syria would be the most feasible choice.

24. On or about November 21, 2014, JURABOEV and SAIDAKHMETOV spoke in another recorded conversation. After exchanging greetings, SAIDAKHMETOV asked JURABOEV whether their “lands,” referring to ISIL-controlled territory, were increasing in size. JURABOEV said that their “lands” were not increasing in size due to

winter conditions. SAIDAKHMETOV replied that, "God willing," ISIL-controlled territory would increase in size the following year.

25. On or about December 9, 2014, SAIDAKHMETOV and JURABOEV spoke in a recorded conversation. SAIDAKHMETOV asked JURABOEV to "delete" SAIDAKHMETOV's profile on "odnoklassniki," which is a Russian-based social networking site. According to SAIDAKHMETOV, the "Americans" were able to "find out who you were from your posts in Uzbek on that site belonging to Uzbeks called hilofatnews.com [and] they can trace odnoklassniki too." I believe that SAIDAKHMETOV was referring to the fact that the FBI traced the posting in which JURABOEV offered to kill President Obama to JURABOEV and that SAIDAKHMETOV had posted similar violent jihadist material on odnoklassniki. JURABOEV promised to try to delete SAIDAKHMETOV's profile. During the same conversation, SAIDAKHMETOV asked JURABOEV whether JURABOEV was planning to buy a ticket to Russia or whether he would travel straight to Turkey. In response, JURABOEV instructed SAIDAKHMETOV not to discuss such matters on the phone.

26. In a recorded telephone conversation from the next day, JURABOEV confirmed to SAIDAKHMETOV that JURABOEV had deleted SAIDAKHMETOV's profile on odnoklassniki. Agents from the FBI then attempted to visit SAIDAKHMETOV's page on odnoklassniki and found that his profile had, in fact, been deleted.

27. On or about December 23, 2014, JURABOEV and the CI were talking in their apartment when SAIDAKHMETOV's mother (who is the lessee of the apartment) visited the apartment and inquired for how long JURABOEV would continue to live there. This conversation was recorded. JURABOEV responded that he was leaving at the end of

March 2015. After SAIDAKHMETOV's mother asked where he was going, JURABOEV responded that he was going to Uzbekistan. When SAIDAKHMETOV's mother left the apartment, JURABOEV told the CI that he did not disclose his intended destination for reasons that the CI would understand. JURABOEV then informed the CI that JURABOEV intended to purchase two separate tickets: one to Turkey and another to Uzbekistan. Based on this conversation, I believe JURABOEV's purpose in telling SAIDAKHMETOV's mother that he was traveling to Uzbekistan and expressing his intent to purchase a separate set of tickets was to disguise his intention to travel to Turkey for purposes of joining ISIL in Syria.

D. JURABOEV and SAIDAKHMETOV Purchase Tickets to Travel to Turkey

28. The investigation revealed that the defendants ABDURASUL HASANOVICH JURABOEV and AKHROR SAIDAKHMETOV, with the assistance of the defendant ABROR HABIBOV, purchased tickets to travel to Turkey in February and March 2015 to fight alongside ISIL.

29. A query of airline reservation record databases revealed that, on December 27, 2014, JURABOEV purchased a roundtrip ticket to travel from John F. Kennedy International Airport in Queens, New York, to Istanbul, Turkey, departing on March 29, 2015 and returning on May 28, 2015. In addition, in a recorded conversation on or about December 29, 2014, JURABOEV informed the CI that he had purchased a round-trip ticket to Istanbul for \$598, noting that the round-trip ticket cost less than a one-way ticket. JURABOEV told the CI that if JURABOEV were questioned when leaving for Turkey, he would state that he was traveling to Uzbekistan and would show his return ticket.

30. On or about December 29, 2014, SAIDAKHMETOV called JURABOEV and the CI. In this recorded conversation, the CI asked whether JURABOEV

had told SAIDAKHMETOV the news, referring to JURABOEV's purchase of a plane ticket to travel to Turkey. JURABOEV, in the background, stated that they should not discuss this matter over the phone. SAIDAKHMETOV then asked JURABOEV and the CI to tell him the news in a concealed way. JURABOEV told SAIDAKHMETOV that he was traveling to "Uzbekistan" on March 29, 2015. The CI then stated that the CI was similarly traveling on March 31, 2015. SAIDAKHMETOV asked how long JURABOEV was going to stay in Uzbekistan. JURABOEV and the CI laughed, and said that the news was told to SAIDAKHMETOV in a concealed way and it was too bad if he did not understand what it meant.

31. On or about January 5, 2015, JURABOEV, SAIDAKHMETOV, and the CI discussed JURABOEV's planned travel to Syria, during a recorded conversation. JURABOEV stated that he would not need to bring more than \$400 to travel to Syria because he would not have any concerns in the land of the Islamic State.

32. In a recorded conversation on or about January 8, 2015, SAIDAKHMETOV told the CI that he would travel to Syria immediately if he had his passport. SAIDAKHMETOV asked the CI to help him find an excuse to get his passport back from his mother. SAIDAKHMETOV speculated with the CI about the possibility of filling out a new passport application, and asked another individual in the background where he could print out a passport application.

33. In a recorded conversation on or about January 9, 2015, SAIDAKHMETOV asked the CI to fill out an application for a travel document for him and for the CI to forge SAIDAKHMETOV's signature on the application. After further

conversation, the CI advised SAIDAKHMETOV that he did so, using as SAIDAKHMETOV's address the address that the CI shared with JURABOEV.

34. In a recorded conversation on or about January 11, 2015, SAIDAKHMETOV told the CI that if he was unable to get travel documents to go to Syria, "I will just go and buy a machine gun, AK-47, go out and shoot all police." Later in the conversation, SAIDAKHMETOV stated that "It is legal in America to carry a gun. We will go and purchase one handgun . . . then go and shoot one police officer. Boom . . . Then, we will take his gun, bullets and a bulletproof vest . . . then, we will do the same with a couple of others. Then we will go to the FBI headquarters, kill the FBI people. . . ."

35. On or about January 21, 2015, in a recorded conversation with the CI, JURABOEV stated that, when he arrives in Syria, he will probably obtain a Kalashnikov automatic weapon, as there is no shortage of weapons in the Islamic State.

36. On or about January 29, 2015, while acting at the direction of law enforcement agents, the CI called SAIDAKHMETOV and told him that his travel document had arrived, but that SAIDAKHMETOV needed to come to New York City on February 2, 2015, to have his photograph and fingerprints taken at the immigration office on Varick Street in New York, New York.

37. On or about the same date, SAIDAKHMETOV called HABIBOV in a recorded conversation. During the conversation, SAIDAKHMETOV stated that he would be traveling to New York City to take care of the photograph for his travel document, and that the process might take a week to complete. SAIDAKHMETOV asked HABIBOV for more money beyond the \$1300 that was already paid to him. SAIDAKHMETOV said that the extra money was necessary to purchase the ticket and to repay his debt to his mother.

HABIBOV stated, "Don't worry about the [transportation] fare and the expenses needed for going there. Dear Akhror, as you might recall, I promised you that we'll do it. If you say you need to buy your ticket, then I'll deposit cash . . . cash into your account." HABIBOV later agreed to deliver cash to SAIDAKHMETOV. SAIDAKHMETOV stated that he and HABIBOV could go to a travel agency together. HABIBOV would wait outside the travel agency while SAIDAKHMETOV purchased the ticket.

38. On or about January 31, 2015, SAIDAKHMETOV spoke to the CI in a recorded telephone conversation. SAIDAKHMETOV stated that he did not yet know the exact time of his departure to Syria, as he was supposed to go the following day with HABIBOV to purchase the plane ticket. According to SAIDAKHMETOV, he had asked HABIBOV and another individual, who know about such things, whether the fact that his departure date was a month away would be suspicious or attract unwanted inquiry.

39. On or about February 2, 2015, SAIDAKHMETOV and the CI spoke in a recorded conversation. SAIDAKHMETOV stated that HABIBOV was concerned that SAIDAKHMETOV's mother would raise an alarm once she found out that her son had left, and that the authorities could then track HABIBOV and his associates down and prevent them from going to wage jihad. According to SAIDAKHMETOV, HABIBOV stated that he would keep in touch with SAIDAKHMETOV over Skype after SAIDAKHMETOV's arrival in Syria, and that, if necessary, HABIBOV would send money as well. SAIDAKHMETOV also reported that HABIBOV had advised SAIDAKHMETOV to leave with an older and more experienced person, likely referring to the CI.

40. On February 2, 2015, SAIDAKHMETOV appeared at the Department of Homeland Security offices on Varick Street, New York, New York, filled out an application for a travel document, and had his photograph and fingerprints taken.

41. On or about February 16, 2015, SAIDAKHMETOV and HABIBOV spoke in a recorded telephone conversation. During this conversation, HABIBOV asked whether SAIDAKHMETOV had “receive[d] the document as planned” and indicated that he was “actually calling over the internet, so not to . . . um what do you call it . . . um . . . so not to leave a trace.” After SAIDAKHMETOV indicated that he had received a letter and expected the travel document “in the next two to three days,” HABIBOV stated that he would call again “over the internet in about three to four days.” HABIBOV suggested that they meet at a mosque for evening prayers to discuss the details in private, after arrival of the travel document. HABIBOV stated that he had made a promise and intended to act on it.

42. On or about February 17, 2015, SAIDAKHMETOV received a travel document issued by the Department of Homeland Security. After opening the envelope containing the travel document, SAIDAKHMETOV told the CI that his soul was already on its way to paradise and made the sound of a horn. He also stated that, once he left the United States, he would tear the document into pieces. Shortly thereafter, SAIDAKHMETOV informed HABIBOV in an electronic communication of the arrival of the travel document and suggested they meet at a mosque the following day. HABIBOV agreed.

43. On or about February 18, 2015, SAIDAKHMETOV told the CI that he would purchase a ticket to travel on February 25, 2015 so that he could travel together with the CI. During the same conversation, SAIDAKHMETOV stated that “Abror,” a reference to the defendant ABROR HABIBOV, had repeatedly promised money for expenses, including

for the purchase of a weapon. According to SAIDAKHMETOV, HABIBOV did not mention a specific sum of money, but SAIDAKHMETOV would accept any contribution from HABIBOV. SAIDAKHMETOV also proposed finding an excuse to gain access to the pilot's cabin and diverting the plane to the Islamic State, so that the Islamic State would gain a plane.

44. On or about February 19, 2015, SAIDAKHMETOV called his mother in a recorded conversation to ask for his passport. When asked where he wanted to go, SAIDAKHMETOV responded that, if a person has a chance to join Islamic State and does not go there, on judgment day he will be asked why, and that it is a sin to live in the land of infidels. After SAIDAKHMETOV continued to ask for his passport, his mother hung up the phone.

45. On or about the same date, agents observed SAIDAKHMETOV and HABIBOV arrive at a travel agency on Coney Island Avenue in Brooklyn. HABIBOV waited outside while SAIDAKHMETOV entered the premises. Subsequently, agents observed SAIDAKHMETOV leave the travel agency and depart the area together with HABIBOV in a vehicle. A query of airline reservation record databases revealed that, on February 19, 2015, SAIDAKHMETOV purchased a roundtrip ticket for \$571 to travel from John F. Kennedy International Airport in Queens, New York, to Istanbul, Turkey, departing on February 25, 2015 and returning on March 31, 2015.

46. Soon thereafter, SAIDAKHMETOV informed the CI in a recorded conversation that he had met HABIBOV at the mosque and they had driven to the travel agency together. HABIBOV waited outside while SAIDAKHMETOV purchased his ticket to Turkey. After the CI asked who had paid for the ticket, SAIDAKHMETOV indicated that

he had paid \$70 and HABIBOV had paid the rest. SAIDAKHMETOV inquired whether the CI thought that SAIDAKHMETOV could refund his return ticket after he had arrived in Turkey. After the CI asked if HABIBOV had provided money for a weapon, SAIDAKHMETOV stated, "God willing, the rest will come too." According to SAIDAKHMETOV, HABIBOV had a contact in Turkey who travels to "Sham" (a reference to Syria) and that HABIBOV would inquire if this contact could assist SAIDAKHMETOV. SAIDAKHMETOV further stated that he had never asked HABIBOV for money and that, in fact, HABIBOV had promised money for travel and a weapon.

47. In another recorded conversation on or about the same day, SAIDAKHMETOV told the CI that if they were detected at the airport, they could kill a police officer and use the officer's gun to shoot other law enforcement officers that arrived on the scene, which would mean that SAIDAKHMETOV and the CI would die an imminent death within an hour or less.

48. On or about the same date, HABIBOV called another individual ("Individual 1") in a recorded telephone call. During the conversation, HABIBOV stated that a little brother is going "there" and that he did not have any person who would meet him. HABIBOV asked if there was any way to get in touch with bigger brothers "there." He also stated that the brother is going with another brother who seems to be smarter, but none of them have connections there. Individual 1 agreed to find out. I believe "little brother" references SAIDAKHMETOV, while the "smarter" brother references the CI. I further believe that, in this call, HABIBOV asked Individual 1 to identify individuals in or near Syria who could assist SAIDAKHMETOV and HABIBOV in their effort to join ISIL.

49. In another recorded conversation on or about the same date, HABIBOV spoke with a second individual (“Individual 2”). In the conversation, HABIBOV stated that he had purchased a “bus ticket” for “him” which cost about \$570. I believe HABIBOV was referring to the plane ticket for SAIDAKHMETOV. HABIBOV asked Individual 2 to call several individuals to help defray the expenses and stated that HABIBOV had just spoken with an individual who advised that arriving “there” was more important than having money upon arrival. I believe that HABIBOV was referring to SAIDAKHMETOV’s arrival in Syria. HABIBOV stated his view that it was better if SAIDAKHMETOV had some money to avoid asking from others. Individual 2 agreed. HABIBOV asked Individual 2 to remind the brothers that it (referring to giving money) is a divine reward, and Individual 2 agreed. HABIBOV then stated that the brothers should not merely give \$30 to \$50 thinking they were giving it for a stranger, but they should consider SAIDKHEMETOV a real brother and give more. Individual 2 agreed and promised to speak with the others.

50. In another recorded conversation on or about February 19, 2015, HABIBOV spoke with a third individual (“Individual 3”). HABIBOV asked, “Do you remember that Akhror? Those guys from Kazakhstan?” HABIBOV identified the individuals in question as “Abdulloh his name is, and Akhror with long hair,” which I believe refers to the defendants ABDURASUL HASANOVICH JURABOEV and AKHROR SAIDAKHMETOV. Individual 3 responded that he recognized JURABOEV as the person who “talks on Ozodlik” and says “I am Abdulloh.” Individual 3 added, “Even when there was a questionnaire whether people want an Islamic State or not, he called and explained, ‘I am in America.’ And he talked.” After HABIBOV asked whether JURABOEV is

“normal,” Individual 3 stated, “Yes, I think he is normal. I am just saying . . . I don’t know. He didn’t take any precautions. He just blurted out without hesitation.”

51. As the conversation continued, HABIBOV continued, “[JURABOEV] has a partner, very soft spoken guy. With him. His name is Akhror.” HABIBOV stated, “So he is leaving.” When asked where SAIDAKHMETOV was going, HABIBOV stated “there” and instructed, “Don’t say it on the phone. Just. . . .” HABIBOV added, “He doesn’t have a penny in his pocket” and noted, “We paid some of his expenses.” HABIBOV then asked, “I was wondering if we should collect some money for him.” Individual 3 agreed to “discuss it” and stated that he would “talk to others.” HABIBOV indicated that he himself was “also asking from other guys. As you know it’s needed there. For some things. . . . In case he wants to purchase something. So let’s do it. Show our Uzbek support.” Individual 3 agreed. I believe in this conversation HABIBOV and Individual 3 agreed to provide money to SAIDAKHMETOV to assist him in joining ISIL.

52. In a recorded conversation with his wife on February 19, 2015, HABIBOV stated that he had purchased the ticket for SAIDAKHMETOV.

53. On or about February 21, 2015, JURABOEV sent the following text message to his employer: “Brother I want to leave my country next weekend. Because I have some problem. Is it possible or not? Sorry!” I believe that, given the plans by SAIDAKHMETOV and the CI to depart for Turkey on February 25, 2015, JURABOEV seeks to change his ticket to leave for Turkey this coming weekend, rather than wait until his currently scheduled flight on March 29, 2015.

WHEREFORE, your deponent respectfully requests that the defendants ABDURASUL HASANOVICH JURABOEV, AKHROR SAIDAKHMETOV, and ABROR

HABIBOV be dealt with according to law. Because of the repeated threats set forth above by JURABOEV and SAIDAKHMETOV against President Obama and members of the United States law enforcement community, I request the Court's permission to enter JURABOEV and SAIDAKHMETOV's apartment without prior notification of law enforcement's presence in order to execute their arrests. However, I note that the FBI anticipates arresting SAIDAKHMETOV when he attempts to board his flight for Turkey, and therefore it is likely that only JURABOEV will be present at the apartment at the time of his anticipated arrest. I further request that this affidavit and the arrest warrants be filed under seal as disclosure of this application would give the targets of the investigation an opportunity to destroy evidence, harm or threaten victims or other witnesses, change patterns of behavior, notify confederates, and flee from or evade prosecution.

S/ Ryan Singer

RYAN SINGER
Special Agent
Federal Bureau of Investigation

Sworn to before me this
24th day of February, 2015

S/ Steven Gold

THE HONORABLE STEVEN M. GOLD
CHIEF UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK